

DEVELOPMENT ADVISORY COMMITTEE MINUTES

The Development Advisory Committee (DAC) met on Wednesday, November 20, 2013 at 9:00 a.m. in the Second Floor Conference Room, 220 South Main Street, Bel Air, Maryland. The meeting was chaired by Moe Davenport, Department of Planning and Zoning.

The following members were in attendance:

Len Walinski	Health Department
Darryl Ivins	Division of Water and Sewer
Mike Rist	DPW Engineering
Shane Grimm	Planning and Zoning
Eric Vacek	Planning and Zoning
Jennifer Wilson	Planning and Zoning
Bill Snyder	Bel Air Volunteer Fire Company
Rich Zeller	State Highway Administration
Mark Logsdon	Sheriff's Office
Patrick Jones	Soil Conservation District
Robin Wales	Department of Emergency Services
Paul Magness	Department of Parks and Recreation

Also in attendance were:

Jeff Matthai,	3445-A Box Hill Corporate Center Drive
Morris & Ritchie Associates	Abingdon, 21009
Amy Dipietro,	3445-A Box Hill Corporate Center Drive,
Morris & Ritchie Associates	Abingdon 21009
Paul Muddiman,	3445-A Box Hill Corporate Center Drive,
Morris & Ritchie Associates	Abingdon 21009
Mitch Ensor, Baystate Land Svcs	PO Box 853, Bel Air, 21014
Jeff Bainbridge	Royal Farms
Jim & Verna Minardo	2206 Harford Road, Fallston, 21047
Patricia Messenger	3101 Peverly Run Rd, Abingdon, 21009
Sal Preisinger	4012 Andrew Ct, Abingdon, 21009
Jack Gibson	3109 Birch Brook La, Abingdon, 21009
Bill Kessler	3122 Birch Brook La, Abingdon, 21009
Morita Bruce	507 Millwood Dr, Fallston, 21047
Matthew Clymer	930 E. Boot Rd, West Chester, PA, 19380
James Clymer	930 E. Boot Rd, West Chester, PA, 19380
Jamison White	19 Fallston View Ct, Fallston, 21047
Brian Schorr	127 Milton Ave, Fallston, 21047
Ellen Weiss	17 Fallston View Ct, Fallston, 21047
Bridgette Johnson	Harford County Office of Economic Development
David Anderson	139 N. Main St, Suite 203, Bel Air, 21014
Vera Howard	3227 Peverly Run Rd, Abingdon, 21009
Elyse Levy	128 Milton Ave, Fallston, 21047
Greg Benfield	400 Hickory Dr, Aberdeen, 21001
Jan Headen	4007 Jeffery Ct, Abingdon, 21009

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Zachary Butler
Jeffrey Vaughn

126 Milton Ave, Fallston, 21047
813 Thomas Run Rd, Bel Air, 21015

Moe Davenport, of the Department of Planning and Zoning, welcomed everyone to the meeting. He explained there are five plans on the agenda. Mr. Davenport explained that a brief presentation will be given by the consultant for the project. The DAC members will give their comments on the project. The meeting will then be opened up for anyone in attendance that may have questions or comments. If anyone has questions that are not answered, there are information request forms that can be filled out and submitted to the Department of Planning and Zoning and they will be responded to in writing. There is an attendance sheet circulating for everyone to sign. If a correct address is given, a copy of the minutes will be mailed or e-mailed. The minutes will also be published to the Department of Planning and Zoning's website.

ROYAL FARMS STORE – MOUNTAIN & FRANKLINVILLE ROAD

Located at the northwestern intersection of Franklinville Road & Mountain Road (Route 152). Tax Map 61; Parcel 214. First Election District. Council District A. BOA 5785. Planner Shane.

Plan No.	S13-158	Re-development of existing Royal Farm Store w/gas; 1.69 acres; B2.
Received	10-22-13	The Mountain Road Inn, Inc./Two Farms, Inc./MRA.

Amy DiPietro of Morris and Ritchie Associates, Inc. presented the site plan. A Community Input Meeting for this project was held on October 21, 2013. The project has also gone through the Board of Appeals and is subject to the Board decisions on case 5785. The existing store is located at the corner of Franklinville Road and MD Route 152. It is 1.69 acres in size and is zoned B2. The site is presently developed with an existing store and gas pumps at the southern portion of the site. This plan proposes to renovate the existing store. Amy provided a rendering of the proposed new building. The plan also proposes to relocate the canopy, underground storage tanks and fuel dispensers to the northern portion of the site. In addition, the plan will reconfigure the parking and drive aisles to improve site circulation and separate convenience store customers from gas customers.

The plan also has a 15' buffer yard along the northern property boundary that will be heavily planted and include board on board fencing for privacy from the adjacent property owner. The site is served by a private well and sewage holding tank. The concept stormwater management plan is currently under review. A traffic study has been completed. Comments have been received from the Department of Public Works and she awaits comments from the State Highway Administration. As of now, the project is anticipated to include about 1,500 linear feet of improvements to MD Route 152. A combined forest conservation and landscape plan has been submitted for review.

Robin Wales – Emergency Operations

If the facility maintains an inventory of a hazardous material, such as diesel fuel or propane gas, in amounts over 10,000 pounds or the Threshold Planning Quantity of 500 pounds of an extremely hazardous substance, such as sulfuric acid, a report must be submitted as required by the Emergency Planning and Community Right to Know Act (EPCRA). Reports are due by March 1st and cover the inventory for the previous year. They must report to the State, LEPC and the local

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volunteer fire department. Reports for the Local Emergency Planning Committee should be sent to Harford County Local Emergency Planning Committee, Attention: Forney Buchanan (Sara Title III Planner), 2220 Ady Road, Forest Hill, MD 21050.

Bill Snyder - Volunteer Fire and E.M.S.

No comment.

Patrick Jones - Harford Soil Conservation District

Concept stormwater management plans have been submitted and reviewed.

An adequate sediment erosion control plan needs to be approved prior to the issuance of a grading permit. The sediment erosion control plan must be integrated into the stormwater management strategy at the design phase. The new 2011 standards and specifications should be used.

A notice of intent (NOI) permit is required from MDE for any disturbance of more than one acre. Please contact MDE about the NOI permit.

Len Walinski - Health Department

The Health Department will approve this plan with no public restrooms available.

Any commercial property involved in the sale, production or distribution of food items must submit plans to the Health Department, Consumer Protection Division, for approval. Any questions should be directed to Lisa Kalama at 410-877-2332. If the plan is recognized as a prototype plan, review will also be required by the Department of Health and Mental Hygiene (DHMH), Division of Food Control. Any questions regarding such review should be directed to Carolann Liszewski at 410-767-8401.

Any structures listed to be razed will require a demolition permit that is secured through the Department of Planning and Zoning. All aspects of the demolition work must be reviewed, approved and completed to the satisfaction of the Health Department. This includes, but is not limited to, the abandonment of any wells and septic systems, asbestos, underground storage tanks, hazardous materials, solid wastes, etc. and the forwarding of any documentation concerning the demolition work. If there are any questions concerning the demolition work, please contact Mr. Joe DeLizia or Mr. Rich Gordon of the Health Department's Air/Waste Division at 410-877-2335 or 410-877-2326.

A certified Underground Storage Tank (UST) installer must be used to install the fuel storage tanks and register the installation with the Maryland Department of the Environment (MDE), Oil Control Program. A permit may be required from MDE, Air and Radiation Administration to construct and operate the vapor recovery system.

Any operations that cause emission to the atmosphere must register and obtain a permit with the MDE Air and Radiation Management Administration (ARMA). Please provide a copy of the ARMA permit to this office. The Air Quality Program at MDE can be reached at 410-537-3230.

Prior to the issuance of the Use and Occupancy Permit, the following requirements must be met:

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An on-site sewage disposal permit must be obtained by a licensed drain layer or plumber to install the holding tanks. The installation must be inspected and approved by the Health Department.

The well must be tested for a full range of volatile organic compounds including MTBE, TAME and TBA, bacteria, nitrates, turbidity and sand and determined to be potable.

The food facility must be inspected and approved by the Harford County Health Department's Consumer Protection Division.

The underground fuel storage tanks must be removed if not already completed. Permits will be required from MDE for the removal of the underground storage tanks. Please contact Mrs. Susan Bull at MDE's Oil Control Program at 410-537-3499. Please provide documentation indicating the removal of the tanks.

Darryl Ivins - DPW - Water and Sewer

No comment.

Mike Rist- DPW – Engineering

A sediment control plan and a grading permit will be required for the development of this site. Sediment controls are to be designed to the specifications as set forth in the Maryland Standards for Erosion and Sediment Control, latest edition.

Stormwater management must be provided in accordance with the 2000 Design Manual, as amended by Supplement 1.

A stormwater management concept plan has been submitted for review and must be approved prior to preliminary plan approval.

A suitable outfall must be provided for the stormwater management facilities and shall be approved at the time of final design.

The final stormwater management plan shall be approved prior to the issuance of a grading permit. A stormwater management permit is required prior to the issuance of a building permit.

Maintenance of the stormwater management facility (facilities) is (are) the responsibility of the owner(s).

All pavement striping and traffic control signs shall conform to the Manual on Uniform Traffic Control Devices and State Highway Administration supplement.

Franklinville Road shall be widened to the proposed westerly entrance. The entrance width shall be 30' wide with 30' curb radii or 35' width with 25' curb radii.

Road plans for Franklinville Road will need to be approved and a Public Works Agreement will need to be executed prior to the issuance of building permits for this site

A 30' right-of-way dedication is required along Franklinville Road if a plat is to be recorded.

A traffic impact analysis has been submitted for the site.

Mark Logsdon – Sheriff's Office

No comments at this time.

Rich Zeller – State Highway Administration

An access permit will be required for the proposed entrance and road improvements along MD Route 152. SHA has not yet completed the review of the traffic impact study. Specific comments are deferred until the comments are complete which should be in about a week. Typically, SHA requires at least 30 days to review the traffic impact analysis.

Shane Grimm - Department of Planning and Zoning

The parking space near the south entrance needs to be removed. It is within the 10' parking setback required along an arterial road.

The landscaping plan is generally acceptable, however, additional foundation plantings must be shown on the two building sides along MD Rt 152. The landscaping plan for the Royal Farm store in Hickory may be used as an acceptable reference.

As noted, the traffic impact analysis is still under review. Mr. Alex Rawls of the Department of Planning and Zoning has forwarded comments to Traffic Concepts and a copy is available if needed.

All conditions of BOA Case No. 5785 shall be adhered to.

Comments were invited from the public.

Morita Bruce commented that this site plan increases the amount of fuel now being stored and relocates fuel storage tanks, dispensers and piping near neighboring homes that depend on wells for drinking water. She believes these changes unacceptably increase the risk of contaminating neighbors' wells. While she understands the project is going to happen, she requested several design conditions be imposed to reduce the hazard to the neighbors while allowing Royal Farm to expand as approved. She explained that benzene is an especially dangerous part of gasoline. It is known to cause cancer, specifically leukemia. COMAR regulations require action be taken when benzene in drinking water reaches five parts per billion – the equivalent of one teaspoon of benzene in an Olympic size swimming pool. Other toxic compounds are also part of gasoline. Underground water that is contaminated can poison wells.

Ms. Bruce went on to say that new filling station equipment, while better than old, doesn't prevent leaks. She pointed out the Jacksonville gas station that leaked 25,000 gallons of gasoline and poisoned homeowners' wells had new equipment meeting the same standards that the Royal Farm will meet. Gasoline leaks move via underground water. The water table here is only a few feet below ground; there's even a wetland near the northern border so it's not unlikely that the storage tank(s) and/or the piping running between the tank(s) and the dispensers will periodically be under water. Her proposed solution is requiring monitoring wells every ten feet along the northern boundary between the station and the homes to detect when contamination is approaching homeowners' properties and wells. Although fuel storage tanks will be monitored, COMAR requires only three other monitoring wells on the site to check for leaks from all dispensers and hundreds of feet of potentially leaking piping in all directions that a leak could flow. She felt that three isn't enough, especially since there are six private homes on wells within 600' of the Royal Farm boundary and such a high water table.

Ms. Bruce added that leak detectors don't work half the time. In the November 18, 2011 Federal Register, EPA stated "data shows that release detection equipment is only detecting

approximately 50% of releases it is designed to detect.” Even when designed and properly installed, it still doesn’t work half of the time. Furthermore, leaks from certain kinds of double-walled piping are more likely to remain undetected. She suggested that piping, even if double-walled, should be placed within larger, sealed pipes or conduits which are sloped toward the vault containing the fuel storage tank. Fuel piping itself is pressurized and high-flow, so if there is a leak in an inner pipe or a joint, there should be enough space between the inner and outer pipe to allow the fuel to flow freely back toward the vault where it is more likely to be detected and therefore, cleaned up.

She previously mentioned the high water table, which can be less than two feet below ground. It is probably one of the main reasons for a holding tank on this site rather than a septic system. There is no public restroom so people getting sandwiches can’t wash their hands nor can truckers coming down the road use the bathroom. The water table greatly affects stormwater handling and she asked Planning and Zoning to insure this is factored into the design of the site’s stormwater management facilities. She was willing to provide details from official documents and reports to further justify her requests and also provided a copy of her testimony.

RESERVE AT RIVERSIDE

Located on the north side of Old Philadelphia Rd (Route 7); between Belcamp Rd & Creswell Rd. Tax Map 57; Parcel 108. First Election District. Council District F. Planner Eric.

Plan No. C08-080-2 Revise previous concept plan by adding Phase III - 16 additional apts; 62.55 acres; R3/B3.

Received 10-23-13 Riverside Apartments LLC /Riverside Apartments II LLC/Riverside Commercial LLC/Morris & Ritchie Associates, Inc.

Jeff Matthai of Morris and Ritchie Associates, Inc. presented the preliminary plan. Mr. Matthai noted that Mr. Kevin Carney, project developer, was also in attendance. He presented a revision to the previously approved concept plan to add Phase III at the corner of Belcamp Rd and Old Philadelphia Rd. The project will now total three phases. The existing zoning for the project is R3 and B3 and the boundary for the project is 62.5 acres. The density allows for 462 units; this plan proposes 416. Phase I, which is constructed and stabilized, consists of 212 units in 10 buildings and a community center. Phase II, in the middle of the project, is 188 units in 7 buildings and is currently under construction. Phase III will be 16 apartment units in 1 building. Also, currently constructed with the project, is an existing roundabout on Rt 7 as well as five off-site intersection improvements that are either bonded or constructed at this point.

The project requires 12.5 acres of open space; the plan provides almost 42 acres. The required parking for the total project is 766 spaces; the plan provides 828 spaces. All the roads, storm drain and stormwater management on the site are private. The site is served by public water and sewer; once on-site, the utilities are private. The preliminary plan for Phase I & II is currently approved. He will be returning to DAC to revise the plan to add Phase III after approval for the concept plan is granted.

Robin Wales – Emergency Operations

Due to a road name public safety issue, the Department of Emergency Services is requesting Lot 3, Phase 3 garden apartments be addressed off of Belcamp Road or a new thoroughfare and not Old Philadelphia Road. She can work with the planner.

Bill Snyder - Volunteer Fire and E.M.S.

All apartment complexes on site shall have Knox key boxes installed on the address side of the building. They shall be keyed for the Abingdon Fire Department: 410-638-3955.

Patrick Jones - Harford Soil Conservation District

The site currently has an approved sediment erosion control plan for a stockpile. Those plans will require updating prior to issuance of a grading permit for the apartment building.

Len Walinski - Health Department

The Harford County Health Department has extended its approval for the plan.

The owner/developer is reminded that during the development of this project when soil moisture conditions are low, measures must be implemented to prevent the generation of dust until a permanent vegetative cover is established and all paving is completed.

The Health Department recommends that the owner/developer disclose to any prospective purchaser the close proximity of the property to the Aberdeen Proving Ground (APG). Information on current and past activities can be obtained from the Public Information Office at APG by calling 1-800-APG-9998.

The Health Department encourages the owner/developer to consider smoke-free housing.

Darryl Ivins – DPW – Water and Sewer

Since this development is for “For Lease” apartments, the on-site sewer systems will be privately owned. Under the plumbing permit, the Department of Inspections, Licenses and Permits will most likely utilize a County water and sewer inspector/representative as well as a plumbing inspector to witness all on-site tests of water and sewer lines. This would also include sewer manhole vacuum tests. The on-site sewers must pass this test to the satisfaction of the County before connection to the public main will be permitted. An additional inspection may also be provided for the flush test after chlorination but prior to the plumber or sprinkler contractor connecting to any lines in the building. This inspection is to make sure that the pipe is free of debris.

The public water and sewer mains must be shown on a separate set of contract drawings from the private utilities. The format for the private utility drawings shall be the same as the Reserve at Riverside Phases One and Two. A record copy of these drawings shall be provided to the Division of Water and Sewer.

Buildings on this lot may require on-site pressure booster pumps and hydro pneumatic tanks within each building to serve their upper floors.

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The contract numbers for this project are 19756 for water and 19757 for sewer. The numbers shall be placed on the utility construction drawings before their initial submittal to the county for review.

Mike Rist- DPW – Engineering

A sediment control plan and a grading permit will be required for the development of this site. Sediment controls are to be designed to the specifications as set forth in the Maryland Standards for Erosion and Sediment Control, latest edition.

Stormwater management must be provided in accordance with the 2000 Design Manual, as amended by Supplement 1.

A stormwater management concept plan must be submitted along with the preliminary plan.

A commercial access permit is required for the site.

Sidewalks shall be constructed along the property frontage.

All pavement striping and traffic control signs shall conform to the Manual on Uniform Traffic Control Devices and State Highway Administration Supplement.

Mark Logsdon – Sheriff's Office

Building numbers shall be properly marked as well as each individual apartment for first responders.

Paul Magness – Parks and Recreation

No comment.

Rich Zeller – State Highway Administration

No comment.

Eric Vacek - Department of Planning and Zoning

The purpose of this plan is to revise previously approved concept plan C08-08-1 by adding Phase III to the project. This plan proposes to add 16 garden apartment dwelling units to the overall project. The project shall now be developed in three phases.

A Forest Stand Delineation, FSD 09-095, has been approved by the Department. A revised Forest Conservation Plan, FCP 08-141-8 has been submitted to the Department. There shall be no forest clearing or grading permitted in the buffers for actual apartment construction. The only permitted disturbance is for the supporting utilities that are permitted within these buffers such as stormwater management facilities, necessary utilities and roads.

This project requires both passive and active open space. A 0.08 acre recreation amenity area has been designated as part of Phase III. This active open space amenity shall be detailed. The length of the proposed recreational trail associated with Phase III shall also be noted. The

Department of Planning and Zoning, in conjunction with the Department of Parks and Recreation, shall review the active open space.

Property owner documents shall be established and recorded for the ownership and maintenance of all stormwater management facilities. The Department of the Army authorization is required for the proposal. Clearing within the Natural Resource Area District shall not be permitted to allow for additional parking and/or pad construction. The consultant shall clarify the note indicating 15 parking spaces shall be provided in conjunction with the recreation amenity area. The affected record plat shall be revised to reflect the changes of this revised concept plan proposal.

There were no additional comments from the public.

SPENCER WOODS

Located at the end of Peverly Run Rd and Randall Dr. Tax Map 62; Parcel 2; Lot 1. First Election District. Council District F. Planner Jennifer.

Plan No. P13-160 Create 21 residential lots; 13.90 acres; R1.

Received 10-23-13 3313 Abingdon Road LLC/Bob Ward Companies/Bay State Land Services.

Mitch Ensor of Baystate Land Services presented the plan. The plan proposes a 21 lot traditional in-fill subdivision located on what is commonly known as the Spencer property. The property is under contract to be purchased and developed by Bob Ward Companies. The site is to be developed under the COS provisions of the subdivision regulations and is generally located at the end of Peverly Run Rd and also Randall Dr. The proposal at this time is to connect the two roadways thru, thus creating the road frontage for the subdivision. The site has an approved Forest Stand Delineation plan. A Forest Conservation plan has been submitted for the project as well as a Landscape plan and a Stormwater Management plan. The site is to be served by public water and sewer along with public roads. The lots are designed as a minimum 15,000 square foot per lot and include two panhandle lots.

Robin Wales – Emergency Operations

Peverly Run Road addresses should begin in the 3000 block. She can work with the planner. Signs will be required to address the block number change. Panhandle lots must also be addressed from the private drive at the public road clearly indicating driveway location.

Bill Snyder - Volunteer Fire and E.M.S.

Dwellings on panhandle lots shall have the addresses marked at any point the driveways split to identify each dwelling's house number. Signs with directional arrows are recommended. An example was provided. Currently, Randall Drive is addressed in the 800 block and Peverly Run Road is addressed in the 3100-3200 blocks. The road name and address changes must be addressed to reduce location confusion.

Patrick Jones - Harford Soil Conservation District

Concept stormwater management plans have been submitted and reviewed. An adequate sediment erosion control plan needs to be approved prior to the issuance of a grading permit. The sediment and erosion control plan must be integrated with the stormwater management strategy at the design phase. The new 2011 Maryland Standard and Specifications for Soil Erosion and Sediment Control must be utilized. Any proposed stormwater management facility must meet the 378 Standards and must be approved by the District. All final designs must be approved prior to the issuance of the sediment control plan. Outfall locations for the pond will be reviewed during the design phase and must safely convey any flow over steep slopes.

A notice of intent (NOI) permit is required from MDE for any project disturbs more than one acre. Please contact MDE about the NOI permit.

Len Walinski - Health Department

The Harford County Health Department has extended the above referenced preliminary plan. The site will be serviced by public water and sewer.

The Health Department recommends a Phase I Environmental Site Assessment (ESA) be conducted and a copy forwarded for review. If Phase I ESA indicates any evidence of dumping, proceed with a Phase II ESA and forward documentation to the Health Department.

Prior to final plat, the following are required:

A disclosure document must be developed to alert future prospective owners of the inactive rubble landfill located in close proximity. The disclosure document must be forwarded to the Health Department for review and approval. The approved document must circulate with the final plat and be recorded. Any questions regarding the content of the disclosure document, please contact Mr. Peter Smith at 410-877-2321.

The owner/developer is reminded that during the development of this project when soil moisture conditions are low, measures must be implemented to prevent the generation of dust until a permanent vegetative cover is established and all paving is completed.

The final plat must bear the standard owner's statement and the master plan conformance statement.

Darryl Ivins – DPW – Water and Sewer

This project is currently in the W-5/S-5 category in the Water and Sewer Master Plan. It is the property owner/developer's responsibility to request in writing to the Division of Water and Sewer to have the category designation revised to the W-3/S-3 category. The category designation may not be revised until the Preliminary Plan has been approved by the Department of Planning and Zoning. A public hearing in front of the Harford County Council must be held to revise the category designation. The council must approve this request. Subdivision plats may not be recorded until the category designation has been changed.

The contract numbers for this project are 19754 for water and 19755 for sewer. The numbers shall be placed on the utility construction drawings before their initial submittal to the county for review.

Mike Rist- DPW – Engineering

A sediment control plan and a grading permit will be required for the development of this site. Sediment controls are to be designed to the specifications as set forth in the Maryland Standards for Erosion and Sediment Control, latest edition.

Stormwater management must be provided in accordance with the 2000 Design Manual, as amended by Supplement 1. A stormwater management concept plan has been submitted for review and must be approved prior to preliminary plan approval. The final stormwater management plan must be approved prior to the issuance of a grading permit. A stormwater management permit is required prior to the issuance of any building permits.

Maintenance of the stormwater management facility (facilities) is (are) the responsibility of the lot owner(s) and shall be stipulated in the association documents. Stormwater management facilities serving multiple lots shall be placed in open space. Stormwater management practices designed for and located on individual lots shall be constructed and inspected prior to the issuance of use and occupancy permits.

Road plans will need to be approved and a Public Works Agreement executed prior to the issuance of any building permits.

Mark Logsdon – Sheriff's Office

Any concerns of the Sheriff's Office have been covered by the prior comments of Fire and Emergency Services.

Paul Magness – Parks and Recreation

The required open space for this project is 1.39 acres with 0.7 acres of required active open space. The plan proposes 2.96 acres of open space and 0.7 acres of active open space as a field contiguous to the Forest Retention Area in the southwest corner of the property. As proposed, it appears the field has a grade of approximately 4%. The grade of the field needs to be 2% in order to be acceptable as active open space.

Rich Zeller – State Highway Administration

No comment.

Jen Wilson - Department of Planning and Zoning

The stormwater management facility located behind proposed Lot 12 appears to be located within the boundary of Lot 13. All stormwater management facilities shall be located within an area of open space.

This site contains environmentally sensitive areas including streams, non-tidal wetlands and associated buffers. All streams, wetlands and 75-foot buffers shall be labeled as "Natural Resource District" (NRD) on the final plat. Any activity that may result in the disturbance of wetlands, their associated buffers, or streams shall require permits from the U.S. Army Corps of

Engineers and/or the Maryland Department of the Environment. Impacts to the waters of the United States should be avoided/minimized to the maximum extent.

A Landscape plan has been submitted for review. The extension of Peverly Run Road is approximately 950 linear feet and requires the planting of 24 large street trees. The plan proposes to plant 52 street trees as credit toward reforestation. These trees must be bonded under the reforestation bond and will be subject to the two-year release schedule typical of reforestation bonds.

This project is subject to the Harford County Forest Conservation Regulations. The Forest Conservation Plan cannot be approved as submitted. The plan must include the proposed tree species and planting locations of any street trees that are to be credited toward reforestation. The plan proposes 0.03 acres of natural regeneration on the west side of the property. Natural regeneration may not be utilized in this location and the area should be planted as reforestation. Additionally, an Off-site Planting Plan must be submitted to the Department for review prior to FCP approval.

The limit of disturbance should be reduced to minimize tree clearing wherever possible.

Prior to final plat approval, FCP-07-262 shall be revised to show the proposed clearing for the sewer connection located on the adjacent property owned by Harford County. Additionally, Plat 140-91 shall be revised and recorded concurrently with Spencer Woods.

A common drive agreement will be required for Lots 13 & 14. A Homeowner's Association must be established for the ownership and maintenance of the storm-water management facilities and the areas of open space. Areas designated as open space shall be accessible to all residents of the community

Patrick Jones, Soil Conservation District, added that he has received plans from two engineering firms for Spencer's rubble fill for the final closure allowing materials to be brought in to cap the site. Mr. Davenport added that this information should be covered in the disclosure statement.

Mr. Davenport questioned whether the post office has required the use of gang style mailboxes for this development. Mr. Ensor replied that typically it has been a request of the post office. He typically has a meeting with the Postmaster about the time the road plans are finalized to discuss the preferred location. The open space in the center of this site is the most likely location.

Comments were invited from the public.

Vera Howard, member of the Board of Woodland Run and residing on Peverly Run Rd for over eighteen years, had concerns about the traffic flow coming in and out of the development. She requested that a traffic study be done. At the top of Peverly Run Rd and Abingdon Rd accidents occur regularly because there is no roundabout or stop sign. She stated the area is adjacent to the fire department. Currently, the bottom of Peverly Run Rd has a sign which states "No Outlet". When the end of the development is opened up, she would like some type of speed bumps to control the traffic flow that will be going through the community. She stated the community has asked multiple times to have a traffic study done because of the traffic flow. Even though the speed signs state 25mph, people come through at 50mph. They have children that play in the street because they don't have a playground. With the opening of Peverly Run Rd going into Randall Dr, they expect more through traffic. She stressed the need for a traffic study.

Mr. Davenport questioned if Ms. Howard would encourage traffic calming. She was in favor of the traffic calming practices. Mr. Davenport explained that if a traffic study were done now, the situation would not meet the qualifications. Once the proposed development is completed, then a study could be performed. Ms. Howard was concerned about the timing of the study. She stated the heaviest traffic occurs during the mornings and evenings. A traffic study done in the middle of day won't show any traffic. Mr. Davenport responded that a study would cover all morning, evening and peak times, and would include traffic counter devices. The study would look at traffic volume as well as traffic speed. Ms. Howard said the speeds on Abingdon Rd are an ongoing problem when trying to leave her development.

Mr. Rist added that the County would look at the problem but probably not until the project is constructed in order to see the effect of the thru traffic. He did reiterate that it would be looked at during the peak hour. Ms. Howard asked if a traffic prediction could be made using the known number of new houses being added and assuming two cars per family. She noted that there are other streets within her development that also use Peverly Run Rd for ingress/egress.

Jan Headen who lives on Jeffery Court in the community to the north of the proposed development, was upset because of the disturbance to the Natural Resource District behind her property. She is a realtor and realizes that building is going to happen but there is a quality of life issue and she would like to see a much more desirable neighborhood to live in. She stated that she was told several times that Peverly Run Rd was not going to connect to Randall Dr which is now not accurate. One thing that would address Ms. Howard's concerns, as well as some of Ms. Headen's, would have the proposed development not connecting and instead ending in a cul-de-sac with properties around it. She would like to see a Forest Retention buffer zone, not just property line up against property line. A lot of these lots are 90' deep. If they were 80' deep, would the buyer not buy the lot? She also thought the builder could sell it as a lot premium because it would back to a forest buffer area.

Mr. Davenport asked Mr. Ensor if the limit of proposed grading was shown on the plan. Mr. Ensor replied that Harford County Code doesn't allow recorded and protected forest retention on lots less than 20,000 square feet. Mr. Davenport agreed. Mr. Ensor stated these lots are less than 20,000 square feet so there is no allowance or requirement to have forest retention. It behooves both the existing homeowners and the new buyers to have some vegetative buffer between each other. Due to the current road configurations where the stubs lead toward each other, the Randall Dr portion is closer to the tract boundary to the north than the Peverly Run side. To create a building envelope for lots 8, 9 and 10, for instance, the plan does need to use a significant portion of the building envelope for clearing. Further to the west, lots 1 through 7, provide the opportunity to leave additional trees there as a buffer.

Ms. Headen asked about redesigning Peverly Run Rd to come down a bit so there could be more depth on the lots.

Mr. Ensor responded that the challenge there is the road code minimum radii used on certain types of roadways. The minimum radius for this type of road in the County is 200 feet. Looking at curve #1, the radius is at 202'. That is the tightest radius that could be put there to meet the road code. The second factor is that by definition of the Zoning Code, there is a Natural Resource District on this property. It is in the form of a non-tidal wetland. It does include a 75' buffer. The goal is to leave the buffer intact and completely wooded. If it were proposed to be cleared, Planning and Zoning may have some issues because it is protecting the wetland feature. Pushing the road any further south would impact that natural resource district.

Ms. Headen said she believes the area is currently labeled as Forest Retention Area so the project is, in fact, impacting that area.

Mr. Ensor responded that the area is not recorded as Forest Retention Area.

Ms. Headen said that it was on her property.

Mr. Ensor replied that the project site does not have that feature.

Ms. Headen responded that the project is still affecting the natural area which affects property values, including hers for sure. Nobody lives on the landfill; they don't care about seeing woods. She can't see why the road can't be redesigned.

Mr. Davenport explained that the plan is attempting to leave as much vegetation/trees as possible; it just can't be put in the Forest Conservation Easement because of County law. It is not allowed on lots less than 20,000 square feet any longer.

Mr. Ensor added that at the time the Bynum Run plats were recorded, Forest Retention was allowed to be placed on the plat.

Mr. Davenport said that when the final grading plan is received, he could have a copy available to see where the limit of disturbance actually is, not the limit of forest conservation.

Ms. Headen added that the residents were told that when the new school was built, the residents were going to be zoned into the new school. That didn't happen. Secondly, they were told the County was looking into this property at some point to put a park or walking trail there. Now that's not going to happen either.

Ms. Howard asked again about the No Outlet sign at the end of Peverly Run Rd. Was that grandfathered in – that they would never be opening the end of the road?

Mr. Davenport explained that the road sign will change.

Ms. Howard asked if it was always on the table that the road could be opened up.

Mr. Davenport responded that both communities were developed with stub roads so that there would eventually be a continuation of communities. The designs for the Village of Bynum Run and Woodland Run both show that on the plan.

Ms. Howard again expressed her concern and said the only people that received information about this project were those that lived at the end of the hill. The only way she found out about it as the Homeowner's Association was by driving through the neighborhood and seeing the sign posted announcing the November 20th meeting. She felt that the Homeowner's Association should have been made aware of the project and meeting. She would like future communications to go to the Homeowner's Association of Woodland Run because they will be impacted as well, in terms of construction, truck traffic, etc.

Mr. Davenport stated that the current law requires signs posted along the road frontage. Ms. Howard wanted more of the people in the existing development to know. Mr. Davenport requested Ms. Howard to provide her information representing the HOA and the County can make sure she is contacted.

Salvatore Preisinger, homeowner president of Jeffrey Court and Andrew Court, stated that when he bought his property, it had forest retention on it which he must observe. He is in favor of this; it is part of the reason why he bought that property. He questioned the size of the proposed lots. Are they going to be small enough that they don't need forest retention? He has forest retention to his property line but no forest retention on the next property in the proposed project.

Mr. Davenport explained that the proposed lots were similar in size to most lots in Woodland Run and Bynum Run. In 2008, the County passed a law which no longer allowed forest retention on lots less than one half acre or 20,000 square feet. The reason is because it doesn't

work. There are some people living in the neighborhood that understand and appreciate the forest retention and respect it and there are other neighbors who don't. They clear the area, cut the forest down, etc. and make it impossible for the County to regulate and get significant clumps of forest that the Forest Conservation Act was adopted for. Therefore, on small lots like these, less than half acre, the County does not allow forest retention because of the problems that have occurred over the years. The lots themselves are the same size and same zoning district. The County is just not allowing the easement to be placed on the lots. That is not to mean that the lot has to be cleared any more than required to provide for the construction of the home and stormdrains, etc. The grading on the plan for lots 1-6 allows for about 25'-35' of forest retention, it is just not in an easement. That will be the limit of clearing. It will not be protected so that individual lot owners, who want to build a pool, deck, etc., may clear the area.

Mr. Preisinger stated his concern that there will be no forested area between the communities if new lot buyers have the ability to "clear out" their lots. He was told by his agent when he bought his house that the subject project was the wooded parcel for the landfill that was closed. He was also told they were not going to build on it or it may take 20 years. And, now Spencer's sells his property off and within a few years, he is building. He was shocked. While he knows the building will happen, he is asking for some protection for the people who have bought along the property with forest retention of their own.

Mr. Davenport replied that the County has commented that as much forest as possible should be retained on the site.

Mr. Preisinger again said he would like to have some sort of buffer between the properties. He also stated that he received a letter because he is an adjacent property owner, not as the homeowner's president. If it weren't for him living there, and being the homeowner's president, the association would not have been informed. He would like to see a letter sent to the Homeowner's Association as well.

Mr. Davenport explained that would have happened if the open space in either community abutted this particular parcel. In this case, it did not happen that way. The mailing list of all adjacent properties that physically touch this parcel is computer generated.

Ms. Howard expressed concern about the meeting being held at 9:00 am. Many people are at work. She is retired and was able to come. She asked, if feasible, could the meeting be held in the evening so others could come. There are many people that have a lot of concerns and were not able to attend.

Ms. Headen asked, as homeowners, what they can do to make an impact on changing this plan. Can they sign a petition?

Mr. Davenport responded that the subject property is zoned the same as all the other properties adjacent to it. The property owner has the same rights as the property owner who developed Woodland Run and the Village of Bynum Run. The County's job is to hear citizen's concerns and make sure this project is the best product possible. However, the property is zoned for single family residential lots. This developer has all rights and privileges for the property allowed by the law.

Ms. Headen suggested that some of the citizen's concerns could be addressed by changing Peverly Run Rd to end in a cul-de-sac further south which won't impact the northern lots as significantly and won't impact the traffic as much. The developer may get a couple less lots but at least there will be happy neighbors.

Mr. Davenport added that the current laws require that when roads are designed to connect, they must connect. It is designed to add a sense of community. Children of each community will be able to play together without going out onto Hookers Mill Road or Abingdon Road to get from one community to the next. Also that fire and emergency services, during a storm event or medical emergency, have adequate access without having to go around. It is also important for other services such as school buses and trash haulers to have access as well. The current land use laws require the road connection as an important function of community and physical planning. It makes sense.

Mr. Davenport responded to Ms. Howard's question about evening meetings by explaining that the County obligates a developer to hold evening meetings for developments that generate over 250 trips. There is a threshold at which the intensity of the development requires a developer to go through evening community meetings. The same adjacent property notification occurs. The County also requires posting of the property and newspaper advertising. This development of 21 lots is relatively minimal and would not generate 250 trips therefore, a community meeting input meeting was not required.

Michelle Benoit, lives in the neighborhood, and stated it is not the new houses that are the problem, but the fact that her street is going to become a thruway. She feels the traffic is going to increase exponentially. She fears it will become a zip-thru similar Hookers Mill Road. Her children will not have more friends by connecting to Randall Dr; they will have less because she won't let them go outside to cross what will be a busy street. She was thrilled to buy an end property with a non-thru road. There has never been a problem with either medical or fire services with the road ending as it does. Everyone works around it. She asked why the road couldn't end a few hundred feet down. It doesn't have to connect.

Mr. Davenport stated that the law requires it to connect. If every road turned into a cul-de-sac, we wouldn't be able to move on our thoroughfares.

Ms. Benoit expressed her dismay that the traffic study would not occur until after the traffic was a problem. She felt that the County did not care.

Mr. Davenport assured her that was not the case. County employees do care. The members of the DAC Committee are present and take their jobs seriously. The development of this project will not completely change the world. Both existing neighborhoods are very nice communities and, with the addition of these homes, it will remain a nice community and be as safe as possible. These roads were always designed to connect and have these communities connected to one another at the time that Spencer's chose to sell and developer. Given the location of Ms. Benoit's property, at the end of the road, there are no current trips. So, of course, there will be more trips generated in her location. He did not feel that people traveling on Hookers Mill Road would leave Hookers Mill to come through her development. It will be those who live near the end of the Village of Bynum Run, closer to Randall Dr that may choose to drive this way. Most people will maintain their current traffic patterns.

Mr. Davenport added that Jen Wilson is the planner for this project and she may be contacted for information or any additional questions.

MILTON AVENUE LLC – LOTS 1, 2 & 3 - PRELIMINARY

Located on the northwest corner of Bel Air Rd (Route 1) and Milton Avenue. Tax Map 55; Parcel 850; Lot P1. First Election District. Council District B. Planner Shane.

Plan No.	P13-161	Create 3 commercial lots; 1.422 acres; B3.
Received	10-23-13	Milton Avenue LLC/Baystate Land Services.

MILTON AVENUE COMMERCIAL NORTH – LOTS 1, 2 & 3 – SITE

Located on the northwest corner of Bel Air Rd (Route 1) and Milton Avenue. Tax Map 55; Parcel 850; Lot P1. First Election District. Council District B. Planner Shane.

Plan No.	S13-162	Construct restaurants & retail bldg. 1.422 acres/B3.
Received	10-23-13	Milton Avenue LLC/Baystate Land Services.

Mitch Ensor with Baystate Land Services presented the plans on behalf of the developer. The site is on the north side of Milton Avenue just west of Bel Air Road. This parcel is the site of the former office building for the doctors who provided services at the old Fallston General Hospital. At that time, it was about 97% impervious surface covered by either rooftop, sidewalks and/or parking. At the time when the Fallston Crossing subdivision was developed, the developer of that parcel also bought the north and south side B3 parcels located adjacent to Milton Avenue. At that time, all of the structures on both parcels were demolished along with the hospital. The portion where the hospital and associated parking existed is now the Fallston Crossing subdivision. The south parcel has a proposal into the Department of Planning and Zoning. It was purchased by Cook Motor Cars and is proposing an expansion of their parking area. The current site proposal is for the completion of the Fallston Crossing subdivision. It is a 1.4 acre, B3 parcel. It is proposed to be subdivided into three separate lots from its current parcel. The three lots will all be improved by one retail space and two restaurants. All three uses will be served by a parking area to be accessed by a right in only from the south bound portion of Bel Air Road and a full access movement off of Milton Avenue just east of West Grove Avenue. The restaurant most to the south is proposed as a drive thru. The other does not offer a drive thru feature. The community input meeting minutes were submitted with this plan along with a concept stormwater management plan, landscape plan, lighting plan and a traffic study.

Robin Wales – Emergency Services

As to the preliminary plan, Lot 2 should be addressed 1916 Bel Air Rd (US 1), Lot 1 should be addressed 1918 and Lot 3 as 1920. These addresses will work if displayed properly and approved by Planning and Zoning.

As to the site plan, the Department of Emergency Services is requesting the buildings display 8"-10" address numbers and letters and, if not a 24 hour operation, must have a list of three emergency contacts for notification, response and securing purposes. On the retail building, label the rear doors with the business name so access can be gained to the correct business during an emergency.

Bill Snyder - Volunteer Fire and E.M.S.

All three buildings shall have Knox key boxes installed. They shall be keyed for the Bel Air Fire Department: 410-638-4400.

Patrick Jones - Harford Soil Conservation District

These comments address both the preliminary and site plans.

Concept stormwater management plans have been submitted and reviewed. An adequate sediment erosion control plan needs to be approved prior to the issuance of a grading permit. The sediment and erosion control plan must be integrated with the stormwater management strategy at the design phase. The new 2011 Maryland Standard and Specifications for Soil Erosion and Sediment Control must be utilized.

A notice of intent (NOI) permit is required from MDE for any project disturbs more than one acre. Please contact MDE about the NOI permit.

Len Walinski - Health Department

The Health Department has extended its approval for the above referenced preliminary plan. The site will be serviced by public water and sewer. The final plat must bear the standard owner's statement and the master plan conformance statement.

The Health Department has extended its approval for the above referenced site plan. Prior to the approval of the building permit, the following are required:

The Health Department must review and approve all food service and building plans prior to issuance of the building permit and a food service package must be completed. To request a food service facility review package, the owner or his agent should contact Mrs. Lisa Kalama at 410-877-2332. If the plan is recognized as a prototype plan, review will be required by the Department of Health and Mental Hygiene (DHMH), Division of Food Control. If there are any questions regarding this review, please contact Ms. Carolann Liszewski at 410-767-8401.

If any buildings will operate a boiler or other fuel burning equipment including a charbroiler, a permit to construct is required from the Maryland Department of the Environment (MDE). It is incumbent upon the owner to secure any permits. The Air Quality Program at MDE can be reached at 410-537-3230.

The owner/developer is reminded that during the development of this project when soil moisture conditions are low, measures must be implemented to prevent the generation of dust until a permanent vegetative cover is established and all paving is completed.

Darryl Ivins – DPW – Water and Sewer

As to the Preliminary Plan:

Show the proposed public water and sewer services to each lot being created by this plan.

There is an existing sewer manhole with a sewer service for this parcel located in West Grove Avenue near the northern corner of the property. This service shall either be utilized to serve one of the lots or it must be abandoned as part of the utility work.

There is also an existing sewer service to the property from the existing manhole in Milton Avenue. It is not shown on this plan, but it prevents construction of the proposed 8" sewer line which is shown on the site plan unless the existing manhole is replaced.

The next series of this plan must show the existing sewer services and a new sewer layout which provides individual public services to each lot.

The stormwater management feature at the corner of West Grove Avenue and Milton Avenue may not be located over the existing water main. One or the other must be relocated on the next series of the plan.

Individual public water services must be provided to each lot. Show the locations of each of the meter vaults or specify on this plan if any of the meters will be located within the building.

The existing water service to this parcel which is connected to the main in Route 1 shall be shown on the next series of the plan as well as the utility plan submitted with the commercial application. Our records indicate that the service is 1½". If it will not be reused, it shall be identified as "to be abandoned at the main in accordance with Harford County regulations" on the plan.

If any of the water meter vaults are 4' x 6' vaults, they must be placed within 15' x 20' drainage and utility easements. They must also be shown on this plan.

As to the Site Plan:

There is an existing sewer manhole with a sewer service for this parcel located in West Grove Avenue near the northern corner of the property. This service shall either be utilized to serve one of the lots or it must be abandoned as part of the utility work.

There is also an existing sewer service to the property from the existing manhole in Milton Avenue. It is not shown on this plan, but it prevents construction of the proposed 8" sewer line which is shown on this plan unless the existing manhole is replaced.

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If any of the water meter vaults are 4' x 6' vaults, they must be placed within 15' x 20' drainage and utility easements.

The Commercial Service Application Number -8209 must be added to the title block of the site plan submitted with the Application for approval.

Any sewer cleanouts that are located within the paved area shall be installed using the County cleanout in paving detail S-28. The detail shall be shown on the utility plan and referenced on the plan and/or profile drawing.

Since the proposed use of every building is not yet known, the meter setting and backflow preventer may be required to be placed within the building.

The construction contract numbers for the existing utilities shall be shown on the drawing submitted with the Commercial Application.

A Commercial Service Application must be completed by the owner and approved by Harford County before a building permit will be issued for this project. Contact Ms. Tina Wagner of the Division of Water and Sewer New Connection Services at 410-638-3300 x1467 for additional information.

Trees may not be placed within the drainage and utility easements or the SHA road right-of-way within fifteen feet (15') of existing or proposed utilities. The Division of Water and Sewer must have an opportunity to review the landscaping plan before it is approved by the Department of Planning and Zoning, to verify that this condition has been met. Approval of the Commercial Application for this project will not be granted until the landscaping plan is acceptable to the Division of Water and Sewer.

Mike Rist- DPW – Engineering

A sediment control plan and a grading permit will be required for the development of this site. Sediment controls are to be designed to the specifications as set forth in the Maryland Standards for Erosion and Sediment Control, latest edition.

Stormwater quality management for a portion of this site has been provided in Pond 2 of Fallston Crossing. An agreement defining maintenance responsibilities shall be provided prior to stormwater management plan approval for the remainder of the site.

Additional management must be provided for the site in accordance with the 2000 Design Manual as amended by Supplement 1.

A stormwater management concept plan has been submitted for review and must be approved prior to preliminary plan approval. The final stormwater management plan shall be approved prior to the issuance of a grading permit. A stormwater management permit is required prior to the issuance of a building permit.

Maintenance of the on-site stormwater management facility (facilities) is (are) the responsibility of the lot owner(s) and shall be stipulated in the association documents.

A commercial access permit is required for the site entrance onto Milton Avenue. The centerline of the entrance shall be located a minimum of 60' from the edge of West Grove Avenue. The entrance width shall be 35' with 25' minimum curb radii. The curb and gutter shall be constructed along the entire frontage. Sidewalk handicap ramps shall be constructed at the entrance. The sidewalks shall be extended to Belair Road.

Internal circulation issues must be addressed on a revised plan. The dead end 2-way drive isle in front of the fast food restaurant must be revised. In addition, perpendicular parking requires a 26' wide drive isle and the diagonal parking requires a 17' wide drive isle.

All pavement striping and traffic control signs shall conform to the Manual on Uniform Traffic Control Devices and State Highway Administration Supplement.

Computations are required to ensure the existing storm drain system is adequate to handle the additional runoff from the site.

A utility permit will be required for the construction of the water and sewer lines within the County right-of-way.

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A traffic impact analysis was submitted. Comments are being forwarded to the Department of Planning and Zoning.

Mark Logsdon – Sheriff's Office

No comments at this time.

Rich Zeller – State Highway Administration

An access permit will be required for improvements along Bel Air Road in conjunction with Milton Avenue. As to the proposed site access, SHA defers comments until the review of the traffic study. Those comments should be available in the coming week(s).

Shane Grimm - Department of Planning and Zoning

A revised traffic impact analysis needs to be submitted for review and approval. Comments have been forwarded to the traffic engineer. A Forest Conservation Plan needs to be submitted for review and approval. There has been some significant discussion which may impact the design of the site. A new site plan may be needed based on the Forest Conservation Plan. Mr. Grimm asked if Mr. Ensor knew the timeframe for submission of the plan. Mr. Ensor replied that he would like to meet with the Department of Planning and Zoning to evaluate the options.

Mr. Grimm added that parking calculations remain under review. There appears to be property lines going through parking and on-site parking minimums need to be met for each of the lots. Mr. Grimm was willing to meet to discuss the issue. The parking setback along Bel Air Road should be 10'. The Department recommends that the landscaping plan be revised to provide a better buffer along Milton Avenue. The Department also requests architectural renderings be submitted for review and comment prior to building permit application.

With regard to the 1 1/2" water service in Bel Air Road, Mr. Ivins suggested Mr. Ensor contact Mr. Kevin Kimmel of the Water and Sewer Division for assistance in field locating the service.

Comments were invited from the public.

Jamison White, Vice President of the Fallston Crossing homeowner's association, expressed concerns about the traffic patterns that will result from this development. The property, as it sits, is kind of an eyesore. He understands it is zoned for development and agrees it will probably look better than it does now. His primary concern stems from the solitary means of egress onto Milton Avenue. He and his wife moved into the subdivision in 2003. They have witnessed first-hand just how quickly Milton Avenue has become a thoroughfare between Harford and Bel Air Roads from people trying to cut the corner on Route 152 and avoid the lights, especially those heading from Bel Air. Trying to turn left out of Milton Avenue onto Bel Air Road headed north is a nightmare. The oncoming traffic at peak times is unsafe and it is a high volume of traffic. His fear is that traffic will be forced out of this project onto Milton Avenue and will be redirected back through the subdivision. There is already a line of cars on Milton Avenue trying to

get out at peak times. This will cause traffic to block Milton Avenue and dangerous situations on Bel Air Road as well. The Milton Avenue entrance is just over a small rise coming southbound on Bel Air Road. Reaction time is limited.

Mr. White stated there is a bus stop just off the corner of Milton Avenue at the end near Bel Air Road. The main bus stop is at the intersection of the four roads within the subdivision. There are approximately 75 children in and around that intersection at the three bus stop times during the day. He asked the DAC committee consider the traffic. He understood blocking off Milton Avenue at Bel Air Road really isn't any option because of emergency and medical services, police, trash and a means of egress. He didn't know if a traffic light may be the answer. He just didn't want the traffic redirected back through Milton Avenue. He asked about the traffic study and requested that a traffic calming study be performed following the completion of the project.

Mr. Davenport asked if a traffic calming study had been done.

Mr. White responded that they have had a couple traffic calming studies, about three years ago, with chokers on Milton Avenue right after West Grove Avenue. As it currently stands, the neighborhood does not meet the requirements even for a stop sign, but he remains concerned about the future safety of the community. He thanked the committee for hearing his comments.

Mr. Davenport stated that the County has already asked for a revised traffic impact study. He asked Mr. Grimm if the project had a signal warrant.

Mr. Rist responded that he did not believe it had met the warrant. The original study recommended three lanes at Bel Air Road and Milton; two outbound lanes and one inbound. It had also recommended a left turn lane on Bel Air Road into Milton Avenue. He has requested more information, so that may change. Even the traffic light analysis may change.

Mr. Zeller added that site distance requirements will also be evaluated in the study. He stated that the study did require a left turn off of northbound Bel Air Road and that, as he had mentioned, an access permit was required.

Mr. Davenport requested Mr. White provide his contact information to Mr. Grimm.

Elise Levy questioned how 71 parking spaces were possible for the site. She compared the site to the nearby Texas Roadhouse which has over 100 parking spaces.

Mr. Davenport responded that the County has concerns about the parking as well.

Ms. Levy asked if fewer businesses could go on the site.

Mr. Davenport explained that the developer must meet the plan requirements for the parking.

Ms. Levy asked if both the entrance and exit could be placed along Bel Air Road.

Mr. Davenport and Mr. Zeller replied that there is not enough site distance.

Ms. Levy questioned how other businesses along Bel Air Road have both entrance and exit along Bel Air Road. She asked how the entrance/exit design would look if there were no side street along the property.

Mr. Davenport responded that, historically, the other properties were developed when there were 10,000 or less trips per day on Bel Air Road. Anything developed now is subject to today's current standards.

Brian Shore lives in Fallston Crossing and had concerns about the handling of stormwater through the existing ponds. The ponds are currently owned by Euler, LLC who is the developer of this plan as well. Mr. Shore believes that the developer will transfer the ponds to the community and wanted to make sure that proper usage rights go on the record and are agreed to ahead of time with the community.

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Mr. Davenport replied that the Department of Public Works had noted those agreements were conditions of approval for the project.

Mr. Shore asked about the landscaping buffer along West Grove Avenue. It does not appear to be much of a buffer planned along that area.

Mr. Grimm responded that the developer has provided a landscaping plan. Given Mr. Shore's comment, he will recommend taking another look; specifically for the materials and types of species that are best suited for buffering along the properties.

Mr. Ensor added that one plan comment received requested the access onto Milton Avenue from the site be offset further from West Grove Avenue inward. There will be a reconfiguration and new submittal as a result of Mr. Rist's comments.

Mr. Shore said he was concerned about how close the development is to West Grove Avenue. He remembered a prior site plan for Wendy's which had a huge buffer area. It sat between the proposed restaurant and the community. He thought it to be well over 100'. This plan shows much less.

Mr. Ensor added that shifting the access road into the site may also necessitate looking at the access for the Cook plan so that access for both parcels line up. Mr. Grimm agreed.

Trisha Vaughn was also concerned with the traffic coming through. She has small children and worries about the amount of traffic. She was also concerned with the light pollution coming from the site. As of now, she already gets a lot of light from Cook Motor Cars. It always looks like its daytime in her backyard. She asked if there were any provisions in the plan to direct the lighting away from the community and if the buffers would be tall enough to help defray the lighting.

Mr. Grimm explained that a lighting and photometric plan has been submitted. The photometric plan shows the light intensity on the lot. A copy of the photometric plan is available for review. The Code requires that no light be directed at or towards roadways. From his review, the photometric plan does appear to keep the light on site. He also recommends that devices be placed on the lights to direct the light down and onto the lot. Mr. Grimm added that the landscaping will not be tall enough that it will buffer enough light to make a large difference but noted he has asked for a revised landscaping plan to provide more buffering of the site itself.

Mr. Davenport thanked everyone for their attendance.

Meeting adjourned 10:38 a.m.